

#7

PTO-1390 (Rev. 07-2005)  
 IAP10 Rec'd PCT/PTO 2003 DEC 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>2002.744 US</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/537,201</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/050928</b>	INTERNATIONAL FILING DATE <b>2 December 2003</b>	PRIORITY DATE CLAIMED <b>3 December 2002</b>
TITLE OF INVENTION <b>New Expression System From Rhodococcus</b>		
APPLICANT(S) FOR DO/EO/US <b>Akzo Nobel N.V. et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>(signed)</b> 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Express Mail Label No.: EV 655181272 US

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/537,201</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP03/050928</b>	ATTORNEY'S DOCKET NUMBER <b>2002.744 US</b>
20. Other items or information: <b>Return Postcard</b> <b>Submission Sequence Statement in Compliance with 37 C.F.R. 1.821(c)</b> <b>3.5 Floppy Disk - Sequence Listing</b>		
The following fees have been submitted		<b>CALCULATIONS      PTO USE ONLY</b>
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		\$
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		\$
All other situations..... \$200		\$
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))		\$
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		\$
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100		\$
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400		\$
All other situations..... \$500		\$
<b>TOTAL OF 21, 22 and 23 =</b>		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	
- 100 =	/50 =	x \$250
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	- 20 =	x \$ 50
Independent claims	- 3 =	x \$200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		
<b>SUBTOTAL =</b>		\$ 130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$
<b>TOTAL NATIONAL FEE =</b>		\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$
<b>TOTAL FEES ENCLOSED =</b>		\$
Amount to be refunded:		\$
Amount to be charged		\$ 130.00

12/23/2005 LLANDGRA 00000022 011350 10537201

01 FC:1617 130.00 DA


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 01-1350 in the amount of \$130.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-1350. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

**F. Aaron Dubberley**  
**Akzo Nobel Inc.**  
**Intellectual Property Dept.**  
**7 Livingstone Avenue**  
**Dobbs Ferry, NY 10522**  
**(973) 325-4542**

  
SIGNATURE

F. Aaron Dubberley  
NAME

41,001  
REGISTRATION NUMBER

December 19, 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,201	Robert Van Der Geize	2002.744US

F Aaron Dubberly  
 Akzo Nobel Inc.  
 7 Livingstone Avenue  
 Dobbs Ferry, NY 10522



INTERNATIONAL APPLICATION NO.
PCT/EP03/50928
I.A. FILING DATE
12/02/2003
PRIORITY DATE
12/03/2002

CONFIRMATION NO. 4486

371 FORMALITIES LETTER



\*OC000000017296220\*

Date Mailed: 10/20/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/02/2005
- Copy of the International Search Report filed on 06/02/2005
- Copy of IPE Report filed on 06/02/2005
- Preliminary Amendments filed on 06/02/2005
- Information Disclosure Statements filed on 06/02/2005
- Biochemical Sequence Diskette filed on 06/02/2005
- Oath or Declaration filed on 06/02/2005
- Biochemical Sequence Listing filed on 06/02/2005
- Request for Immediate Examination filed on 06/02/2005
- U.S. Basic National Fees filed on 06/02/2005
- Priority Documents filed on 06/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

*Cue  
DME*

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,201	PCT/EP03/50928	2002.744US

## STIC Biotechnology Systems Branch

### RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/S37,201  
Source: PCT  
Date Processed by STIC: 6/14/05

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/24/05



PCT

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/537,201

DATE: 06/14/2005

TIME: 08:47:08

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Output Set: N:\CRF4\06142005\J537201.raw

3 <110> APPLICANT: Van der Geize, Robert  
 4 Hessels, Gerda  
 5 Dijkhuizen, Lubbert  
 6 Van der Meijden, Peter  
 8 <120> TITLE OF INVENTION: New expression system from Rhodococcus  
 W--> 10 <130> FILE REFERENCE:  
 C--> 12 <140> CURRENT APPLICATION NUMBER: US/10/537,201  
 C--> 13 <141> CURRENT FILING DATE: 2005-06-02  
 15 <150> PRIOR APPLICATION NUMBER: PCT/EP03/050928  
 16 <151> PRIOR FILING DATE: 2003-12-02  
 18 <150> PRIOR APPLICATION NUMBER: EP02080054.6  
 19 <151> PRIOR FILING DATE: 2002-12-03  
 21 <160> NUMBER OF SEQ ID NOS: 13  
 23 <170> SOFTWARE: PatentIn Ver. 2.1

Does Not Comply  
 Corrected Diskette Needed

(pg. 2-3) ↗

## ERRORED SEQUENCES

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 167 <211> LENGTH: 511 Found 510  
 168 <212> TYPE: PRT  
 169 <213> ORGANISM: Rhodococcus erythropolis  
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 178 Thr Ile Val Leu Glu Lys Thr Asp Arg Phe Gly Gly Thr Ser Ala Tyr  
 179 35 40 45  
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 182 50 55 60  
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 185 65 70 75 80  
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 200 145 150 155 160

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/537,201

DATE: 06/14/2005

TIME: 08:47:08

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209           195           200           205
211 Glu Val Glu Ser Gly Gly Glu Thr Gln Arg Ile Lys Ala Asn Arg Gly
212           210           215           220
214 Val Leu Met Ala Ala Gly Gly Ile Glu Gly Asn Ala Glu Met Arg Glu
215 225           230           235           240
217 Gln Ala Gly Thr Pro Gly Lys Ala Ile Trp Ser Met Gly Pro Phe Gly
218           245           250           255
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221           260           265           270
223 Thr Ala Leu Leu Asp Gln Ala Trp Phe Cys Pro Gly Val Glu Gln Pro
224           275           280           285
226 Asp Gly Ser Ala Ala Phe Met Val Gly Val Arg Gly Gly Leu Val Val
227           290           295           300
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230 305           310           315           320
232 Phe Gly Arg Ala Met Asp Ala His Asp Asp Asn Gly Ser Ala Val Pro
233           325           330           335
235 Ser Phe Met Ile Phe Asp Ser Arg Glu Gly Gly Gly Leu Pro Ala Ile
236           340           345           350
238 Cys Ile Pro Asn Thr Ala Pro Ala Lys His Leu Glu Ala Gly Thr Trp
239           355           360           365
241 Val Gly Ala Asp Thr Leu Glu Glu Leu Ala Ala Lys Thr Gly Leu Pro
242           370           375           380
244 Ala Asp Ala Leu Arg Ser Thr Val Glu Lys Phe Asn Asp Ala Ala Lys
245 385           390           395           400
247 Leu Gly Val Asp Glu Glu Phe His Arg Gly Glu Asp Pro Tyr Asp Ala
248           405           410           415
250 Phe Phe Cys Pro Pro Asn Gly Gly Ala Asn Ala Ala Leu Thr Ala Ile
251           420           425           430
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254           435           440           445
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257           450           455           460
259 Asp Gly Ser Ala Ile Asp Gly Leu Tyr Ala Ala Gly Asn Thr Ser Ala
260 465           470           475           480
262 Ser Leu Ser Gly Arg Phe Tyr Pro Gly Pro Gly Val Pro Leu Gly Thr
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358 <211> LENGTH: 208
359 <212> TYPE: PRT
360 <213> ORGANISM: Rhodococcus erythropolis
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see error  
explanation on  
page 1.



## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/537,201

DATE: 06/14/2005

TIME: 08:47:08

Input Set : A:\Seq. Listing. 2002-744US.txt

Output Set: N:\CRF4\06142005\J537201.raw

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366 Pro Ser Ser Asp Glu Gln Arg Ala Arg His Val Arg Met Leu Glu Ala
367 20 25 30
369 Ala Ala Glu Leu Gly Thr Glu Lys Glu Leu Ser Arg Val Gln Met His
370 35 40 45
372 Glu Val Ala Lys Arg Ala Gly Val Ala Ile Gly Thr Leu Tyr Arg Tyr
373 50 55 60
375 Phe Pro Ser Lys Thr His Leu Phe Val Ala Val Met Val Glu Gln Ile
376 65 70 75 80
378 Asp Gln Ile Gly Asp Ser Phe Ala Lys His Gln Val Gln Ser Ala Asn
379 85 90 95
381 Pro Gln Asp Ala Val Tyr Glu Val Leu Val Arg Ala Thr Arg Gly Leu
382 100 105 110
384 Leu Arg Arg Pro Ala Leu Ser Thr Ala Met Leu Gln Ser Ser Ser Thr
385 115 120 125
387 Ala Asn Val Ala Thr Val Pro Asp Val Gly Lys Ile Asp Arg Gly Phe
388 130 135 140
390 Arg Gln Ile Ile Leu Asp Ala Ala Gly Ile Glu Asn Pro Thr Glu Glu
391 145 150 155 160
393 Asp Asn Thr Gly Leu Arg Leu Leu Met Gln Leu Trp Phe Gly Val Ile
394 165 170 175
396 Gln Ser Cys Leu Asn Gly Arg Ile Ser Ile Pro Asp Ala Glu Tyr Asp
397 180 185 190
399 Ile Arg Lys Gly Cys Asp Leu Leu Leu Val Asn Leu Ser Arg His
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see error  
 explanation on  
 page 2.

## VERIFICATION SUMMARY

DATE: 06/14/2005

PATENT APPLICATION: US/10/537,201

TIME: 08:47:09

Input Set : A:\Seq. Listing. 2002-744US.txt

Output Set: N:\CRF4\06142005\J537201.raw

L:10 M:201 W: Mandatory field data missing, <130> FILE REFERENCE  
L:12 M:270 C: Current Application Number differs, Replaced Application Number  
L:13 M:271 C: Current Filing Date differs, Replaced Current Filing Date  
L:266 M:252 E: No. of Seq. differs, <211> LENGTH:Input:511 Found:510 SEQ:2 ✓  
L:400 M:252 E: No. of Seq. differs, <211> LENGTH:Input:208 Found:207 SEQ:6 ✓